

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:07-HC-2177-BR

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
v.)	<u>ORDER</u>
)	
JAMES BARTON HORN,)	
)	
Respondent.)	

This matter is before the court on respondent's 1 August 2011 *pro se* Motion to Exclude the Government Appointed Examiner (DE # 83). Respondent's motion was also docketed as a *pro se* appeal (DE # 84) of the 18 July 2011 order of United States Magistrate Judge James E. Gates denying respondent's motion to exclude the government appointed examiner. Because respondent is represented by counsel, the motion and the appeal are DENIED WITHOUT PREJUDICE, subject to being refiled by counsel as necessary.

This 10 August 2011.



W. Earl Britt
Senior U.S. District Judge